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# *Fantasies of Violence. German citizens expressing their concepts of violence and ideas about democracy in letters referring to the case of the serial killer Jürgen Bartsch (1966-1971)*

Kerstin Brückweh

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## NOTE DE L'AUTEUR

I would especially like to thank Prof. Peter Becker, Prof. Heinz-Gerhard Haupt, Prof. Dr. Jörg Requate, Pierre de Trégomain, Anika and Sebastian Weiß.

- 1 Wolf H. from Bochum wrote to the court of a German city in 1966 that he was a pacifist and against genocide in any way, but in the case of the serial killer Jürgen Bartsch (1946-1976) he was in favour of sentencing Bartsch to be hanged in public<sup>3</sup>. «The defence lawyer Bossi», a Dr. F. wrote five years later, «should also hang on the next tree, for taking the defence for such a beast, such a failure. In this case the defender is equal to the offender, both need to be exterminated»<sup>4</sup>. He, too, was referring to the child murderer Bartsch, who had tortured, sexually assaulted and killed four boys from 1962 to 1966. While research on the 1960s in West Germany shows that enormous changes in political attitudes, mentalities, ways of life, and cultural norms had taken place, these letters highlight the persistence of antidemocratic and retaliatory attitudes into these years.
- 2 In the years 1966 to 1971 approximately 250 letters were sent mainly to the court, the judges, and the police involved in the case of the child murderer Jürgen Bartsch. German citizens wrote for a variety of reasons, including death threats to the lawyers and love letters to Jürgen Bartsch<sup>5</sup>. Some writers wanted to help the police and prosecuting

attorneys. These letters were sometimes helpful (for example, letters from pupils of Bartsch's old boarding school who reinforced the accusation of abuse by some teachers) and at other times useless (for example, the suggestion that the police should consider the possibility that the murderer might have worn a wig). All letters show the fascination of the figure of a serial killer and how it spurns their imagination and fantasies as well as their will to be of help in solving the case. It also depicts greed when some writers explained without convincing reasoning that they deserved the offered reward. Some writers used the case as a platform to tell about themselves, rather than anything related to Bartsch. While these letters make up about one third of the total letters, another third referred to the penalty. The rest made conjectures about the possible reasons for the existence of the serial killer Bartsch. In the following I will focus on the last two categories of letters because these letters not only show desires for punishment and explanations for the cruel murderer but also unveil perceptions of democracy.

- 3 The requests of some of the letter writers for a quick trial and a severe punishment were partly fulfilled in the first trial in Wuppertal 1967, which lasted only nine days: During the first proceedings Bartsch received five life sentences, which declared that he was held responsible for his deeds and considered to be an adult although he was only 15 when committing his first murder<sup>6</sup>. The Bartsch case was extraordinary in several ways and therefore attracted not only the media and its audience but also many experts<sup>7</sup>. In 1969 the Federal Court (Bundesgerichtshof BGH) revised the former decision<sup>8</sup>. It stated that not everything had been done to come as close to the truth as possible because no expert witness in sexology had been consulted. For the second trial in 1971 many more expert witnesses were heard. This time Bartsch was sentenced to ten years in a detention center with transfer to an asylum afterwards<sup>9</sup>. In retrospect the second Bartsch case is often quoted as a proof of modernity, for example when the psychiatrist Wilfried Rasch, who was expert witness in the second trial, argued in 1984 that in the Bartsch trials two worlds had passed judgement over the same case, «two eras, the 19<sup>th</sup> and the 20<sup>th</sup> century»<sup>10</sup>. Because of the different concepts of punishment underlying the two trials I distinguish between the years 1966 to 1968, meaning the first trial, and 1969 to 1971, involving the revision of the first sentence and the second trial. I argue that almost regardless of the discussions and explanations in the courtroom, which also represent the changing scientific attitudes toward sexual offenders in the 1960s and 1970s, there existed retaliatory logic and anti-democratic opinions among – at least – the letter writers.
- 4 One may argue that elements of anti-democratic, nationalist and authoritarian dispositions still existed but that they were in decline<sup>11</sup>. Although Bartsch was a subject of discussion amongst experts of psychology, psychiatry, sexology etc. and although the media reported about possible explanations, the content of the letters was almost resistant to these discussions. The short time period from 1966 to 1971 shows that even more authors wrote to the court, the judges etc. in 1971 than in 1967 and the content was no less brutal or of a more democratic nature than before. Moreover, the case shifted more and more from the local to the national level<sup>12</sup>. The heuristic value of these letters can be found in the broad regional and social distribution of the authors. The unconventional form of the letters (illegible handwriting, crossed out words, drawings, postcards with holiday motives, torn out pieces of paper etc.) as well as the usage of swear words indicate the self-motivated and voluntary nature of the comments. Because some letters are rude in content and form I will compare the unpublished letters to a

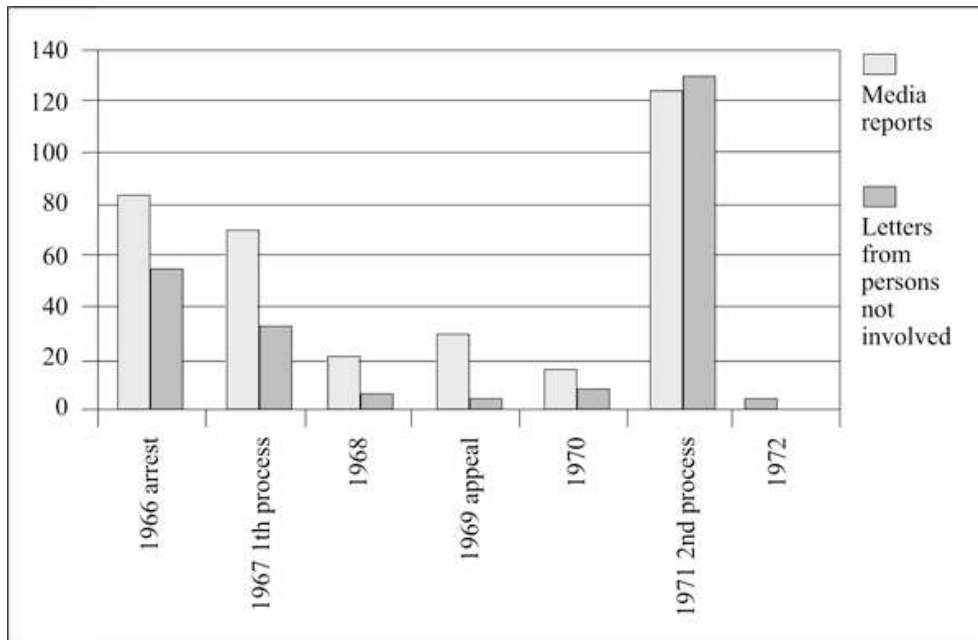
selection of published letters-to-the-editor in order to gain measure of what is considered to be appropriate within this kind of *genre*<sup>13</sup>.

- 5 Still one may argue that these letters are only «the irrelevant products of idiots» – as somebody said to me in a discussion – and for sure these letters are not representative for an entire population. Nevertheless, they had a specific impact: After reading about the Bartsch case in the media the letter writers decided to address their concern and anger directly to the persons involved in the case, especially to the judges and the defence lawyers. Through this a new possibility of communication was established, which connected the trial, the media and the citizens. Some of the letter writers reminded their addressees that they should act «in the name of the people» and thus referred to themselves as «the people» or «the public». Demands for a severe judgment were most often linked to allusions that the sentence should be made «in the name of the people». References to «the public» tend to be used as a rhetoric strategy to support and legitimise an opinion by suggesting that many others support it as well. That this was a successful (rhetoric) strategy can be seen in the fact that also people involved in the case used this phrase: In the 1971 sentence the judge said in his verbal announcement that the court felt bound to the good judicial tradition of a free, independent and incorruptible judgment and that it would not be influenced by an exaggerated public opinion<sup>14</sup>. This statement shows that the judge considered the letter writers as a significant voice of the people, which he had to deal with. This may also be due to the fact that letters were more concrete for the addressees than media reports. Moreover, on personal and psychological regards death threats to the judges or the defence lawyers might have had an impact on these persons.
- 6 As an analytical category the term «public» or «public sphere» is often understood as the sum of many different arenas that constitute the public as a whole; a closer look at influences of the (mass) media in the 20<sup>th</sup> century is often demanded<sup>15</sup>. By analyzing the letters from persons not involved, I focus on ways of communication among citizens and between citizens and institutions and I look for the appropriation of legal cases by citizens – a complex, which in the sources of the Bartsch case was often referred to as «the public opinion». I will start with an analysis of the letter writers: Who wrote these letters and to whom did they address the letters? Second, I focus on the content: How did they describe, explain and judge the sexual murderer? Which opinions about democracy and state under the rule of law can be reconstructed from the letters? Third, I will try to reconstruct the impact of the letters on the court proceedings.

## Letters from persons not involved (1966-1971)

- 7 In contrast to the surviving victims, relatives, witnesses and the institutions of criminal prosecution other persons were not directly affected by the serial killer Jürgen Bartsch per se. Therefore I call them «bystanders» or «uninvolved persons». Their attention to the case was provoked by media reports. On a very general level one can argue that the media had an influence on the audience because the number of letters corresponded to the waves of media reports<sup>16</sup>:

Number of media reports and letters from persons not involved



- 8 This result corresponds to the assumption of the agenda-setting research which claims that the media has to focus attention on a topic before any kind of influence is effected<sup>17</sup>. Therefore, the media construct a pool of topics that by definition, selection and salience seems to be relevant for the recipients. They perceive the structure and priorities of these topics as a part of the «social reality»<sup>18</sup>. Media reports formed only a starting point for many letter writers by evoking their fantasies and associations. These fantasies and other parts of their unconscious also make up the reality of the writers as will become obvious in the following<sup>19</sup>.

## Letter writers

- 9 Who were the actors? Who wrote the letters? One opportunity to gain closer insight into the composition of this group of Germans is to focus on the information that was explicitly given in the letters: In both time periods many writers remained entirely anonymous (about one quarter from 1966 to 1968 and about one third from 1969 to 1971). While in the first time period only few more males (42) than females (34) wrote letters, the gap between male and female writers widened in the years 1969 to 1971 (40 females, 60 males). Only few letter writers mentioned their occupation. While in both time periods mostly academics did so, from 1969 to 1971 non-academics also referred to their occupation. Of those who did not indicate their profession, some found other reasons to legitimise their writings, for example by calling oneself a representative for others: «on behalf of many million citizens»<sup>20</sup>, «one of the people»<sup>21</sup>. Others stressed their interest as mothers and fathers, grandmothers and grandfathers or their membership in an organization, such as «Frauenbund» («women's association») <sup>22</sup>. Another form of legitimatisation was the attempt to establish oneself as an expert, for example as a «Telepathie-hypnosenspetzialist [sic!]<sup>23</sup>. Some writers legitimised themselves by mentioning professional experience as former colonel or a former reservist of the police. The term «former» indicates an authorization due to life experience. References to being a «senior citizen» or an «old woman» belong in this category as well as somebody who wrote more than nine pages about his life, stressing that he was the «owner of 4 medals of

war»<sup>24</sup>. Older writers also gave their age in some cases. It is quite obvious that not just older people wrote letters. The letters came from citizens of all ages.

- 10 As regards the level of education, which may give a clue to the living conditions of the writers<sup>25</sup>, we can use the presence of many spelling errors within a letter as proxy for a low level of education («Crist»<sup>26</sup>, «im Sinne fieler»<sup>27</sup> etc.). Moreover, mistakes in the writing of foreign words provide further clues («Hybnose»<sup>28</sup>, «pfisatiker»<sup>29</sup>). Some letters also show errors in classifying the legal institutions: This is the case when the district court in Düsseldorf is called a «Bundesgericht» («Federal Court»)<sup>30</sup>. Studies on linguistic codes discovered that – when differentiating speech patterns with regard to social status – privileged groups in general talk and write more, their sentences are longer and their vocabulary is larger; concerning content, the level of abstraction is higher and apodictical statements as well as flowery phrases and figures of speech are avoided<sup>31</sup>. When applying this linguistic analysis to the letters of the public in the Bartsch case, in the time from 1966 to 1968, 18% of the letters fit the category of privileged groups, from 1969 to 1971 29% of the letters did so. All other letters contain mistakes in spelling as well as short – sometimes incomplete – sentences and other syntactical errors. Apodictical statements can be found in both elaborated and simply structured letters. The same can be said for swear words such as «Arschficker»<sup>32</sup>, «Dreckschwein»<sup>33</sup>, «Bestie [...] Mißgeburt»<sup>34</sup>. While the first two were used in anonymously written letters containing many mistakes and short sentences, the last two are from a letter belonging to the more sophisticated category. To draw conclusions about the level of education from the use of swear words seems unreasonable. Swearwords rather indicate emotion. The writers obviously had problems putting emotion into written words so that often the polite phrases are ignored. While it appears that some mistakes could have been avoided if the authors had taken the time to proof-read their letters, some writers excused themselves for the mistakes in advance. Writing the letters seemed to be an ad hoc measure in many cases. This can also be seen in the short form (for example preprinted postcards) or in the messy writing (crossed-out words, etc.).
- 11 A look at the newspapers quoted in the letters provides us with further information about their authors. While some letters only referred to the media in general («for some time I have been following the media reports about the proceedings»<sup>35</sup>) others also gave the name of the newspaper. Quotations from local papers around Wuppertal were less significant in number. This might be surprising, but locals often talked directly to the police to report an observation or to cast suspicion on somebody<sup>36</sup>. The high number of letters which did not mention the media directly or referred to it only in general might be explained by the fact that people read more than one newspaper or used other media as well. Studies on the *Bild-Zeitung* for example have shown that 87% of *Bild*-readers also read a second paper besides the tabloid<sup>37</sup>. Besides it can be presumed that people also read or heard about the Bartsch case in magazines such as *Neue Revue*, which published a series of articles about the offender<sup>38</sup>, or from TV, which also reported about sex murderers<sup>39</sup>. While none of the writers referred to TV from 1966 to 1968, four letters did so in the second time period. The *Bild-Zeitung* was the most quoted newspaper in both periods (9% of all letters written from 1966 to 1971). A typical reader of this paper is considered to be male and working-class; without a strong religious affiliation and membership in a union<sup>40</sup>. This simplified picture has to be modified: Based on the absolute figures – due to its widedistribution – the *Bild-Zeitung* is the most widely read paper in West Germany<sup>41</sup>. Because persons with a higher degree of education frequently

do not admit to read this paper, Klingemann and Klingemann conclude in their study that reading the *Bild-Zeitung* alone could not be considered as an indicator of social class or group<sup>42</sup>. Nevertheless, at least those 22 writers who mentioned the *Bild-Zeitung* explicitly considered this paper to be *their* reliable «source of information». Modern concepts of discourse analysis do not accept media as a «source of information» and the emphasis here is on the observation that the letter writers themselves explicitly identify one form of media as their primary «source of information». Moreover, some letters indicate that the writers truly believed in the objectivity of what they read in the newspaper. This can be concluded by the choice of words the letter writers used: «“Bild am Sonntag” had investigated Bartsch’s natural father in Belgium several months ago and he gave evidence that his girl-friend was highly driven by her physical urges and that she also had lung disease»<sup>43</sup>. It seems to be one form of appropriation to believe the information given in the newspapers, opposed to doubting the facts and circumstances selected by and presented in the media<sup>44</sup>.

## Addressees

- 12 From 1966 to 1968, the letters were mostly sent to the authorities involved in the investigation, which means the police in Düsseldorf, Essen and Langenberg and the prosecuting attorney’s office. Because the investigation was completed before the first proceedings, almost no letters were addressed to these authorities in the time period from 1969 to 1971. This time people mostly wrote to the court and to the judge of the second trial. In many cases writers sent their letters to an official addressee, for example a judge or the prosecuting attorney. Letter writers knew the names from media reports, which also published photos of the judges and attorneys. Focusing on one person instead of an institution in some letters even culminated in a death threat:

In the proceedings we expect clear decisions, if not, you will have an axe on your head, you dirty bastard! We mean it, we wait for what will come, none of us is too cowardly to act, mark our words, you dirty slob. Playing on other boys’ butt and then giving your dirty hand to somebody else, ugh! [...] Well yes, we are calmly looking forward to the case. Be responsible for what you can but do it right. Do you understand?! If Bartsch gets off free, you will go<sup>45</sup>!!

- 13 The judge is addressed with the German familiar «Du»-form, which is unusual for somebody who is not a personal acquaintance and therefore indicates that the author did not hold the judge in high esteem. In this letter, as well as in a few others, the characteristics of the homosexual and pedophile Bartsch were projected onto the judge. This also happened to others active in the proceedings; especially experts in sexology were accused of being homosexual, pedophile or interested in pornography. This slip may point to the writer’s own experiences, fears or desires. The writer was obviously not conscious of the contradictions in his writing: In contrast to the sentence «Well yes, we are calmly looking forward to the case» the exclamation marks in the text betray the underlying emotion that was anything but calm. The threat (and defence mechanisms) become even more obvious in confrontation of the single «you» (meaning the stranger, the enemy) with the «we» (the self), which suggests that there is a number of people supporting the threat against a single judge. Although the beginning of the letter is clearly written from the perspective of a single man or woman, it is signed by «a society for order and decency» suggesting that there is an organization behind it.



- 14 Most of the writers who did not agree with the appeal and the second proceedings used a similar mixture of swear words, exclamation marks and avoidance of polite phrases. Only one letter shows a more elaborate rhetoric strategy<sup>46</sup>, putting the wish for the death penalty into the mouth of somebody else:  
Nevertheless you are – according to my observations in the community – the most hated man in society nowadays. The mildest comment of a citizen I asked: ‘Bartsch should go to the guillotine and the judge, the experts and the lawyer as well...’<sup>47</sup>
- 15 A few letter writers wrote to judge Fischer to praise him for his decision. Nonetheless, mostly angry writers expressed their feelings and opinions. They did not only address judge Fischer but also the defence lawyer<sup>48</sup>.
- 16 The letter writers and the persons waiting in front of the courtroom or the police station attracted media attention: «The murderer and the mob. After the hunt for the criminal»<sup>49</sup>. The media even reported about threats not only to the lives of the judge and the lawyers but also to their relatives. The *NRZ (Neue Ruhr/ Rhein Zeitung)* publicized that an anonymous call had pronounced that the seven year old daughter of Rolf Bossi, the defence lawyer at the second trial, would be killed<sup>50</sup>. Not only the child of Bossi was threatened but also relatives of the lawyer in the first trial as the *Bild-Zeitung* knew:  
‘You should be ashamed helping such a bestial murderer. You deserve to hang on the gallows.’ Such threatening letters and anonymous phone calls are directed against the lawyer who is defending the child-murderer in four cases. When the respectable lawyer of Wuppertal, Heinz Möller (48), took over the defence of the murderer Bartsch strong protest was heard. Not only was the lawyer the target of threats also his family was affected. The lawyer has three little sons. Heinz Möller is afraid for their life since the trial has begun. After the threat of assassination of Jürgen Bartsch in the courtroom a police car was put at Möller’s disposal. The police is guarding the lawyer’s family home, situated on the outskirts of Wuppertal, day and night<sup>51</sup>.
- 17 As if that was not enough, the *Bild-Zeitung* also published the name and the age of the assistant to the defence lawyer in the same article. Threats against persons involved were no exception. According to newspaper articles – a family from Düsseldorf with the same last name as the defence lawyer Bossi as well as a witness were also threatened. Moreover, «German fathers and mothers» wrote a letter to the prosecuting attorney’s office in Velbert stating that only children and wives of judges, attorneys and members of parliament should be assaulted or murdered with the purpose of drawing their attention to the problem of sexual murder<sup>52</sup>. Obviously, the writers totally missed the contradiction between the reason for their anger (the child-murderer Bartsch) and the contents of their writings (the suggestion of murdering children or other human beings). The connection between media reports and threats can be observed in other cases and countries as well. One popular example was the campaign of the British paper «News of the World» in July 2000. After the murder of an eight-year-old girl in Sussex the paper published names of thousands of sex offenders throughout the UK. Street disturbances following the publication were linked directly to the paper’s campaign<sup>53</sup>.
- 18 The media even published the name of the last victim and printed a picture of the boy, who was able to free himself from the underground gallery where Bartsch had tortured him<sup>54</sup>. As a result two letters were addressed to the boy announcing that the authors were friends of Jürgen Bartsch and wanted to complete Bartsch’s crime<sup>55</sup>. This was a typical form of secondary victimization, when the victim becomes a victim again after the actual



crime occurred<sup>56</sup>. Especially in cases of sexual violence victims often feel harmed and stigmatised by media reports<sup>57</sup>.

## More interest in revenge than in understanding and the production of knowledge

### a. Letters referring to the punishment

- 19 Although some arguments can be traced back to specific circumstances of the time, letters of both periods unveiled ongoing fantasies of violence and a retaliatory logic.

#### Letters in favour of the death penalty

- 20 Of those referring to the sentence nine wanted the death penalty for Bartsch in the time period from 1966 to 1968, 26 in the years 1969 to 1971. How convinced people were in regard to this sentence can be seen in the fact that almost half of them revealed their identity by giving names and sometimes even addresses. Besides the numbers a difference in content cannot be noticed for the different time periods. Letters were not restricted to the demand for the death penalty but also recommended methods for carrying out the penalty: In 1967 a retired man referring to himself as a «refugee from the former eastern territories» wanted Bartsch to be hanged on a tree and than to be left there for a week<sup>58</sup>. Others preferred death caused by drowning or electric chair. Some writers in 1971 simply stated: «off with the head!»<sup>59</sup>. Even though some accepted that death penalty was no legal option in the Federal Republic of Germany they suggested setting Bartsch free so that lynch-law could take its course. Some of them imagined that an eye for an eye and a tooth for a tooth would be the appropriate torture. Others offered a subtler solution, as did Werner F. a senior citizen from Bad Oeynhausen: «I dreamt that the child murderer Jürgen Bartsch died by breaking his neck caused by a fall down the staircase»<sup>60</sup>. In another vision Bartsch did not awake from anaesthesia during surgery. This gives cause for concern because this is exactly the way Bartsch died in 1976. All these letters have in common that they were written in a short clipped manner, with many exclamation marks, swear words and underlinings of the parts considered important. This way of writing seems to be close to spoken language. It makes the anger and indignation nearly become audible to the reader.
- 21 In comparison, published letters to the editor of newspapers were less dramatically written although some of them also favoured the death penalty. Berta Z. wrote to the editor of the *Mannheimer Morgen* that other letters to the editor had «extremely annoyed» her<sup>61</sup>. Her letter also displayed emotion, especially when she was referring to the «devil and lecher Bartsch», pointing out that every mother now had to worry about the lives of her children. Published letters were edited and therefore do not comprise mistakes in spelling or grammar and the swear words were not as harsh as the ones used in unpublished letters. Besides the milder and probably corrected language, the content was mostly the same.
- 22 Unpublished letters asking for death penalty tended not to argue but to assert without reasoning. When trying to present an argument they usually referred to the expenses for a second trial or for Bartsch's accomodation paid for by the tax payers. Another concern was the safety of children, as Berta Z. mentioned.

## References to the Nazi past

- 23 Although similar statements of revenge and the wish for death penalty can be found in other countries as well it seems to be a specific German rhetoric strategy to link one's own opinion to the Nazi past. This can either be intended to shock the addressees or to intensify the argument. About 5% of all letters reveal a positive evaluation of the German Nazi past: «This would not have happened under Adolf Hitler»<sup>62</sup>. «This would be a case for Adolf Hitler!»<sup>63</sup>. Other letters referred to concentration camps as the most appropriate destiny for persons like Bartsch<sup>64</sup>, to the sterilization law<sup>65</sup>, to the «labour service»<sup>66</sup> and to quick legal proceedings: «And for that, Hitler should come, he would have sent Bartsch to the firing squad»<sup>67</sup>. Another 5% reveal a completely unreflected and uncritical understanding of the crimes of the years 1933 to 1945. These letters suggested «the gas chamber» as a way of execution or favoured «incinerating plants» to free the nation from «all the idiots and subhuman creatures»<sup>68</sup>. Another writer played down the Nazi crimes by citing his experiences as a soldier: «I was a soldier for 8 years and in 4 areas of war but I never saw such a sadistic child murderer»<sup>69</sup>. More than half of those referring to Nazi Germany gave their names and sometimes even their addresses. If this is more than a rhetoric strategy is hard to tell from the letters<sup>70</sup>. Easy to show is how the letter writers connected one media event to the other:
- 24 Writers of both published and unpublished letters compared the case of Jürgen Bartsch to that of the convicted National Socialist Rudolf Hess. In 1969 Leopold H. wrote to the Federal Court in Karlsruhe:

It is unbelievable, you develop such an incomprehensible enthusiasm to take care of a heinous criminal. – Why couldn't the highest German judicial authorities bring about the release of the so-called war criminal Rudolf Hess? This would require some courage though<sup>71</sup>!
- 25 This letter has to be seen in the context of the initiative to release Rudolf Hess starting in 1967. The members of the organization called «Hilfsgemeinschaft für Rudolf Hess e.V.» stated that after more than 20 years in prison Hess, who had been convicted in the Nuremberg Trials, had suffered enough. While some members gave humane reasons for his release without diminishing his degree of culpability, Leopold H. obviously was convinced that Hess was convicted unjustly as the word «so-called» indicates. Newspapers and magazines reported on this initiative. The political magazine *Der Spiegel* for instance interviewed Hess' wife<sup>72</sup> and evoked letters to the editor: «R. Hess has to be compared with the defendant Jürgen Bartsch, therefore he does not deserve any other treatment than to pay for his deeds to the bitter end»<sup>73</sup>. The most positive letter about the Nazi period that was published stated: «No mortal has done more for peace than Rudolf Hess<sup>74</sup>!» On the one hand the connection of Hess and Bartsch shows the importance of media in selecting information and focusing the readers' attention, on the other hand it presents topics that were considered to be important at the time.
- 26 The importance of media attention on a specific issue at a specific moment can also be seen in an opinion poll in the magazine «Stern» from the year 1968<sup>75</sup>. It stated that the German female population found Bartsch to be the most cruel criminal of the 20<sup>th</sup> century. The male population named Adolf Hitler first, and then Bartsch, followed by Lee. H. Oswald, Josef Stalin, Fritz Haarmann, Adolf Eichmann and Heinrich Himmler. Presumably Bartsch's name is among the most cruel criminals of the 20<sup>th</sup> century because he received such enormous media attention from 1966 to 1968 – the year of the opinion

poll. Nevertheless, the name of a second serial killer leads to the interpretation that serial killers are firmly anchored in peoples' memories.

### More fantasies of violent punishments

- 27 Not all of the letters favoured the death penalty or made references to the Nazi past. Some writers offered other possibilities of punishment which were no less violent. Marion A. wanted Bartsch to be «tied up, whipped and tortured»<sup>76</sup>. This letter suggests punishment to be used as deterrent. Another letter suggested marking sexual offenders by cutting off an ear so everybody would be aware of their crime after their release<sup>77</sup>. A further form of punishment often demanded was hard labour, for example in a quarry for 15 years. Letters also called for castration but with different aims: as a punishment, as a prophylactic for potential recidivistic offenders or as a cure.
- 28 Many letters present a view of life based on a dichotomy: the «normal human being»<sup>78</sup> or the «reasonable thinker»<sup>79</sup>, describing him or herself in contrast to the «beast»<sup>80</sup>, the «mass murderer»<sup>81</sup> or the «monster»<sup>82</sup>. According to these letters, not only Bartsch himself was evil but also anyone who was defending, helping or even examining him. Examples of this are the already mentioned threats directed at the involved judges and lawyers, but now also involved the expert witnesses in the second proceedings. In this context, Richard M., a law student, asked: «What will the expert witnesses, who want to examine his brain and cock, cost!»<sup>83</sup>. The «Frauenbund» («women's association») stated in a letter of 1971: «He is a murderer and remains a murderer despite expert witnesses who just want to make money»<sup>84</sup>. Again money, especially taxes, was the main argument against an in-depth analysis of the murders.
- 29 Regarded from a psychoanalytical angle, these letters revealed defence mechanisms, especially projections<sup>85</sup>. The object of these projections was not only the sexual murderer himself but also anybody who could be linked to him. In the 1960s and 1970s reactions like the ones that can be found in the letters were already interpreted as projection onto a scapegoat<sup>86</sup>. This did not lead the letter writers to a self-reflective understanding but produced even more fear and resulted in a disapproval of the expert witnesses as well: «All men who are concerned about Bartsch are queer brothers»<sup>87</sup>. The projection surface was therefore expanded to include some of the expert witnesses, the judge in the second trial, the defence lawyers Möller and Bossi, and the priest who remained silent when Bartsch confessed his first murder to him. The letter writers mostly feared homosexuality and other forms of sexuality that were not acceptable according to the law or to cultural and social norms of the time. By rejecting any comparable urges in themselves they simultaneously revealed their own fears and – maybe – desires. The wish to punish the offender was significantly stronger in the letters than the wish to help the offender – nevertheless letters of this kind also existed, although far less numerous.

### In favour of less violent punishment

- 30 Some writers wanted the court to do everything to achieve an understanding of Bartsch: «In the case of Juergen Bartsch revenge and punishment should count less than modern knowledge, progress and humanitarian justice. [...] Give the victim Bartsch and modern psychiatry and psychology a chance at progress»<sup>88</sup>. Erwin D., former engine-driver, wrote to the court in Düsseldorf: «10 years detention and afterwards an asylum would be right»<sup>89</sup>? A former school teacher suggested a treatment involving baths, enemas, diet and

health food for his inner purification<sup>90</sup>. Other writers referred to their religion stating that Bartsch should be given help in church institutions (such as «von-Bodelschwingschen Anstalten in Bethel» or «Alsterdorfer Anstalten») instead of living a miserable existence. Even though the number of these letters was not very large, it can be observed that more women than men pleaded for a more humane way of punishment.

### Understanding of democracy

- 31 A positive evaluation of the National Socialists' regime certainly was an anti-democratic statement. Nor could being in favour of torturing the child murderer be brought in line with a democratic and law-abiding attitude. Moreover, requests for a quick trial also pointed in this direction. To oppose this tendency the Federal Court clearly stated in 1969 that everything had to be done to come as clear to the truth as possible.
- 32 While statements in favour of the death penalty are not anti-democratic per se, most of these letters contained anti-democratic tendencies: Rosemarie H. who favoured the gas chamber for Bartsch also wrote on the envelope «No trial, death by hanging immediately!»<sup>91</sup>. Another writer wanted criminal law as well as the constitution to be changed – he demanded a plebiscite for questions of castration and the death penalty. In his opinion «labour service» would prevent adolescents from committing a crime arguing that he «is 67 years old, took part in two World Wars and regrets that labour service has not been reintroduced but called an institution of the Nazis! Just as no such thing as a Catholic or Protestant appendix, there also isn't a Nazi highway or a SPD highway»<sup>92</sup>.
- 33 The letters also reveal a missing or incorrect understanding of functions of the state of law and its institutions. Besides the already mentioned examples this can also be seen in other letters: Emil R. wrote in 1967 to the West German Parliament, to the Department of Justice in Bonn, to the prosecuting attorney's office in Wuppertal and to the local newspaper of Bielefeld stating that the Bartsch case was an extraordinary one. Therefore he formally asked for a suspension of the existing laws to make the death penalty possible in this case. Although he tried to give his letter the formal style of a petition he obviously did not know to whom he should address the petition. Moreover, he wanted his name to be left out<sup>93</sup>.
- 34 Some writers did not question democracy in general, but thought that democracy in the Federal Republic of Germany was not in good shape. A female writer asked in a letter to the prosecuting attorney's office of 1971 whether «we are a democracy which has the right to know what happens in the proceedings [...] or are we set back to Nazi times when courts themselves decided and the general population kept ignorant? As a free German citizen I want to be informed in detail about the statements made in the proceedings»<sup>94</sup>. This is also a typical rhetoric strategy: a comparison to Nazi times in order to demonstrate that something is wrong.
- 35 Writers also feared that the West German democracy was not firmly enough established to withstand the situation of the «Cold War»: «Dear Mr. President, [...] something is rotten in this half of Germany, a congenital defect from the year 1949», wrote Johannes F. in 1971. He also complained about Konrad Adenauer and quoted Walter Ulbricht: «“In the year 2000 the FRG will be a communist state”»<sup>95</sup>. Along the same lines, an anonymous letter stated that «the decline of our benevolent democracy has already begun and we hope that it will not continue until a new wind of change, which can only come from the

east, is going to blow over this state»<sup>96</sup>. As a consequence the writer pleaded for a severe punishment to demonstrate the power of West German democracy.

## b. Some explanations for Bartsch's cruel murders

- <sup>36</sup> Those letters referring to the punishment mostly revealed personal revenge fantasies. Another set of letters, which referred to explanations for Bartsch's cruel murders also involved fantasies but they can be traced back to information reported in the media. Letter writers sometimes referred to these reports by explicitly mentioning the articles they had read. In the first time period (1966 to 1968) the media mostly reported about the offender solely to be blamed for the murders and about scapegoats to be held responsible for the fact that Bartsch was only arrested after his fourth murder. From 1969 to 1971, the negative influence of Bartsch's upbringing was the main focus. The contents of the letters followed this simplified scheme. In contrast to the unchanging desires for punishment the appreciation of the difficulties of the Bartsch case grew from the first to the second trial.

### Go(o)d vs. evil

- <sup>37</sup> During the first trial the media published articles about Bartsch's membership in a magical circle<sup>97</sup>. The word «magic» obviously stimulated the fantasies and imagination of the readers. It started a chain of associations which can be interpreted as a connection of the readers' own experiences, perceptions with their unconscious fantasies<sup>98</sup>. Letter writers referred to «evil» and «supernatural demonic forces»<sup>99</sup>, to «hypnosis»<sup>100</sup>, «superstition» and «demons»<sup>101</sup> to explain Bartsch's murders. This also means that they did not really want to understand the child murderer Bartsch but regard him as part of an inexplicable world, or as a mystery. This sort of letter only appeared in the time period from 1966 to 1969.
- <sup>38</sup> In both periods reasoning based on the precepts of Christianity can be found in the letters. «I speak as a convinced Christian to you. I do not despise you but want to extend a helping hand for reasons of sincere responsibility»<sup>102</sup>. Some of them tried to explain Bartsch's behaviour as an interplay between God and the devil that Bartsch had to overcome. Phrases in these letters indicate that mostly older people wrote such letters («me, an old senior citizen» or «I have lived a long hard live»)<sup>103</sup>. Analogous to the interplay of God and the devil was the one of good against evil.

### A butcher by trade

- <sup>39</sup> The question of how the occupation of a butcher might have influenced Bartsch's life can be found in both trials. «The murderer from the fairground is arrested. He is a conventionally looking journeyman of a butcher and an amateurish conjurer»<sup>104</sup>. This article in *Bild-Zeitung* (22 June 1966) also contained a picture of Bartsch as a butcher with an accompanying text saying «A magician has to keep quiet»<sup>105</sup>. Several letters referred to this article. A mother demanded free choice of occupation, punctuating her statement with many exclamation marks: «This photo says everything! This child in a butcher's shop! Surely he did not want to be a butcher. [...] Do not withhold the psychological aspect!!»<sup>106</sup>. Other writers also wanted to point out that the occupation of a butcher and watching the work of a butcher may possibly harm a child. One writer suggested testing

these influences: «For the sake of justice [...] Could you please test a whole class of pupils between the ages of 6 to 14 by training them as butchers! It has to be found out how these pupils react in their sensitivity as a child»<sup>107</sup>. She completed her letter by finding the youth welfare department guilty of setting Bartsch on the wrong course when taking him away from his «grandparents related by blood».

- 40 Some months later – in 1967 – *Bild-Zeitung* turned to the genetic relatives of Bartsch and evoked many readers' responses. *Bild-Zeitung* reported about Bartsch's natural mother who was severely ill during her pregnancy and died some months after her son's birth. The article, called «How the parents of Bartsch lived – dogs chase for the critically ill mother», reported the memories of a former neighbour: Because no medicine was available the mother's boyfriend tried to help with a household remedy, dog fat, that the neighbors had suggested to him. According to *Bild* the neighbor recalled: «'Every night Adolf looked for dogs. It was not easy, because the animals were supposed to be fat. Sometimes he traded half a pound of butter for a dog.'» The article further reports:

P[...] killed the dogs in the room in front of the pregnant woman. He skinned the animals and hung them on two nails on the door facing Lisbeth's [the mothers, KB] bed. It must have been a ghastly scene. The neighbor exactly remembers: 'In the attic hung a blue light bulb which spread cold light on the furniture. Lisbeth sat upright on her bed and stared at Adolf with wide open eyes'<sup>108</sup>.

- 41 Although this scene is obviously a dramatization based on the questionable account of a neighbour some writers referred seriously to the article. In a hand-written letter Johannes B. reminded the court on eight pages that this scene had had a negative influence on the mother and her unborn child<sup>109</sup>. The topic of «butchering» was applied to Bartsch's whole life<sup>110</sup>.

### The adoptive parents

- 42 While the first trial created a positive picture of Bartsch's adoptive parents, this changed significantly in the second trial. In 1967 the relationship between Jürgen Bartsch and his parents was judged according to material factors, e.g. regular visits and packages sent to Jürgen while he was in boarding school. In 1967 several newspapers wrote about Bartsch's adoptive mother. The «WAZ-Westdeutsche Allgemeine Zeitung» stated «Mother Bartsch: My son must be ill. A woman full of despair sat in the witness stand»<sup>111</sup>. – «Please, please, do something for Jürgen! A passionate call from mother Bartsch to the judges»<sup>112</sup>. Even the judge of the first trial is supposed to have said in the courtroom that his adoptive mother did not fail in bringing up Jürgen. In the second trial their parenting was characterized as lacking emotion and a relationship of personal trust, which was compensated for by buying lots of expensive toys. In 1971 judges and expert witnesses tried to get a closer view at the interplay of genetics and environment. Anton W. wrote to the court in April 1971 that the «reason for everything [lies in, KB] the psychological poisoning and illness due to the upbringing without love of mental, parental or maternal nature»<sup>113</sup>. In the same year Annegret G. criticized that «many things are getting worse in our times of progress: Children are born everyday and people get married but who is teaching them to bring up a child or to build a family?»<sup>114</sup>. She also complained about the simple statements like «head off» that she had heard in connection with Bartsch. She suggested legitimizing abortion so that fewer children would be left alone after birth. Letter writers also asked why the Bartschs had adopted Jürgen when they sent him to a boarding school afterwards.



## Educational institutions

- 43 Between 1969 and 1971 not only the upbringing by the adoptive parents was discussed but also the educational and social situation at the catholic boarding school. While during the first trial the boarding school was characterized as tough but fair, the second trial dealt with the accusation of sexual abuse and violence. In the sentence of 1967 corporal punishment was considered to be an inevitable measure at a boarding school of such a size. In 1971 this as well as the reading of violent stories to the pupils (e.g. about the child-murderer Gilles de Rais of the 15<sup>th</sup> century) were a subject of discussion, especially because the trial culminated in the accusation of sexual abuse. This accusation was not only formulated by Bartsch but can also be found in some of the letters. Already in 1967 a former pupil of the same boarding school wrote to the court in Wuppertal. According to his experience some magazines were not correct in stating that educators, in this case priests, did not sexually abuse some of their pupils. Because he himself was sexually abused during his education at the boarding school he offered to be a witness at the trial<sup>115</sup>. The letter's formality suggested that the content was really a matter of concern for the writer (typed, complete name and address given, stamped by the institution the writer currently belonged to). This letter, written in 1967, only received the comment «Mr. Chairman – to the records». Not before the second trial were these kinds of letters taken into account: In 1971 former pupils were invited as witnesses at the trial. This way of dealing with the sexual abuse of boys corresponds to recent research on the topic: The more intense debate on sexual abuse of girls did not start in West Germany before the 1980s and of boys not before the end of that decade – although the facts were already known from jurisdiction and research at least since the beginning of the 20<sup>th</sup> century<sup>116</sup>. In 1967 legal correspondent Gerhard Mauz only wrote three sentences on this topic in his two-page article in the magazine *Spiegel*:

Homes do not have enough staff, there is the typical terror between the children, the regiment of older against younger. There is an educator, who took Jürgen Bartsch to bed with him, although 'nothing happened'. Besides there is the homoerotic phase, fixed and not outgrown<sup>117</sup>.

- 44 In 1971, the magazine *Spiegel* published an entire article on the educator and clergyman against whom a preliminary proceedings was initiated after the accusations made at the second Bartsch trial<sup>118</sup>. In this article the complete names of some witnesses and even their occupations were given although the article also reported that one witness had already offered to serve as a witness at the first trial but only on condition that he could remain anonymous. The article admitted that this form of education, for example the rigid daily schedule, might have had an impact on the pupils' lives. Although the article tries to give a balanced account of the different witnesses and accusations it presents a typical way of dealing with sexual abuse in the 1960s and early 1970s: *Spiegel* discredits the accounts of six witnesses by referring to the higher number of other former pupils (60) who stated that they liked the accused priest. Moreover, the article quoted the priest's defence lawyer who found out that the witnesses for the prosecution were of questionable background. The article also tried to prove that the priest could not read French and – because supposedly no German edition was available on the book market – *Spiegel* found it unconvincing that the priest would have read the sadistic story of Gilles de Rais to the pupils. To question the credibility of a sexually abused person and to doubt his or her testimony was also a typical way of dealing with sexual abuse at that time and



it was a form of secondary victimization. This article as well as others dealt with the identity of the witnesses in a questionable way. However, other former pupils of the boarding school had also turned to the court in 1971. They accused one of the priests in particular and described how the abuse influenced their future life.

### Catholic church: guilty or not guilty?

- 45 In the first time period letter writers were furious about the fact that Bartsch had made a confession in church after his first murder. The priest had felt bound to the seal of the confessional, only suggesting that Bartsch should present himself to the police. After reading about this in the local paper Eckhard N. wrote to the prosecuting attorney that besides Bartsch the superiors of the catholic church, the priest of Bartsch's hometown and the officials of the Jesuit school should also be convicted<sup>119</sup>. Referring to information he had read in the *Hamburger Abendblatt* A. Pumpe stated that three innocent children could have lived if the catholic church had not had a seal of confession<sup>120</sup>. Similar statements by readers were published in the *Bild-Zeitung* as well as the exact opposite opinion defending the seal of confession as a good institution. In the edition of 11 December 1967 the *Bild-Zeitung* published a selection of edited letters starting with the comment: «Letters continue to flood in. Most of the readers still deal with the seal of confession»<sup>121</sup>. One of these letters is interesting because editors often link the publishing of letters in their newspaper to an ideal of democracy. «Herewith», wrote Erich K. from Offenbach, «I bring charge against the curate [first name and first letter of last name are given, KB] from Düsseldorf as an accessory to the murderer Bartsch in his first murder»<sup>122</sup>. On the one hand this letter betrays ignorance of the judicial mechanisms: The reader obviously did not know that he had no option to bring charge against somebody through a letter to a newspaper although he seriously wanted to do so. On the other hand it shows that the *Bild-Zeitung* did nothing to clear up the misunderstanding or to inform the citizens about their rights and about proper legal procedures.

### Is it really so difficult? – Personal experiences

- 46 One reader pointed to family circumstances rather than society in general in a published letter to the political magazine *Spiegel* in 1971. He asked if the case of Jürgen Bartsch was really so abnormal and difficult when viewed from a psychoanalytical perspective:
- I am able to recall very clearly that when I was the same age, starting at the age of 15, these hideous sadistic fantasies started which I thought of every night in my imagination and then printed on paper. Who knows whether these fantasies would have remained imaginary if I had not had a safe and sound family full of love. Going through puberty these fantasies totally stopped, and now I am not a habitual criminal but a respected middle-class academic through and through. [...] I am convinced that the criminal acts of Bartsch are the result of a coinciding of many unfortunate circumstances which allowed him to act on his sadistic urges which are more or less a side effect of the sexual development of any human being (or any male human being), but which can be overcome with care and security and which will go away all on its own<sup>123</sup>.
- 47 Compared to the defence mechanisms in many unpublished letters, this reader recalls his own experience with astonishing frankness – although his last name is not given as is the rule in this magazine. The letter also gives a summary of some reasoning: It refers to sexual development in general and makes the assumption that Bartsch was a product of unfortunate circumstances.

- 48 A man who was previously convicted of sexual abuse also referred to his personal history in a letter to the judge of the second trial. He pointed out that an asylum would not be the right place for Bartsch but only castration could help. He based his statement on the fact that this was exactly the operation he underwent ten years ago: «I am a happy human being, live like all the others and participate in the economic rise»<sup>124</sup>. For the sake of his family he did not want his name to be published.
- 49 Although the media focussed their audience's attention on the child murderer Bartsch, no simple mechanism of stimulus and response can be observed: The sensitivity for violence and the consideration of scientific explanations, which can be traced back to changing views in the proceedings and the media, increased from the first to the second trial. Nevertheless, this did not change the retaliatory logic or the fantasies of violence. Due to new explanations in the second time period letter writers partially revised their opinions of the offender's development. As regards basic changes in attitude to violence, media coverage had less or no influence<sup>125</sup>.
- 50 Michael C. Baurmann came to similar results in his longitudinal study on victims of sexual violence based on cases reported to the police<sup>126</sup>. He stated that even in cases in which the complexity of sexual violence was explained to and discussed with people they recalled the same unproven stereotypes after the discussion. Baurmann concluded that psychosocial mechanisms disturbed the cognitive process. One of these stereotypes is that of the stranger as sexual offender, which is widely accepted and mostly untrue<sup>127</sup>. Moreover, some letters also reveal other defence mechanisms. In a psychoanalytical reading of the letters fears and desires of sexuality become especially obvious: Most of the letter writers did not accept any form of sexuality other than the traditional sexual relationship of a man and a woman.

## Possible Repercussions of the letters

- 51 The patterns of explanation, wishes for punishment and unconscious fears and desires already show a complex interaction of various factors, which also had intentional or unintentional consequences for the Bartsch case. While no simple causal connection can be assumed, it is still possible to present a diffuse picture of repercussions, for example on the trials.

## The proceedings

- 52 In the name of Jürgen Bartsch his defence lawyers Heinz Möller and Rolf Bossi won an appeal for the second trial. In their argument they referred to the effects «the public» might have had on the proceedings. Although the Federal Court discussed this aspect, it neglected all arguments given on this basis. Synonymously used for the term «the public» were «large parts of the population», «society» or «the bystanders»<sup>128</sup>. Möller and Bossi based their appeal on four arguments: First, they stated that according to the juvenile court (JGG § 48 Abs.1) the whole proceedings, including the formal announcement of the sentence, had to be closed to «the public». Second, they criticized that the press and «the public» were only excluded from parts of the proceedings and therefore Bartsch felt inhibited to speak freely. Third, due to the applause and cheering in the courtroom during the reading of the sentence Bartsch might have been prevented from proposing a

motion of evidence. Finally they stated that television and radio broadcasting from the courtroom could be grounds for an appeal.

- 53 Although the Federal Court did not find these reasons convincing, they were not without foundation. The names of 53 reporters can be found on the attendance list of the first trial, including representatives of local and national newspapers, associated press and other news agencies, as well as public radio and television<sup>129</sup>. According to the transcripts several times, when a claim for excluding «the public» for reasons of endangering (sexual) morality was filed, «the public» had to leave the courtroom but the press could remain inside<sup>130</sup>. This was criticized in the letters of bystanders. One writer feared that as a result the reporters were able to decide which aspects they wanted to be highlighted in the media<sup>131</sup>.
- 54 The reason for Bartsch's possible inhibition to speak seems curious in the light of the proceedings: Heinz Möller, who was Bartsch's only defence lawyer in the first trial, stated that his client had asked him to abstain from a summation. That this was unusual is also indicated by the fact that the judge himself asked the defence lawyer to think about this decision for reasons of the case's outcome as well as of professional ethics and personal consequences<sup>132</sup>. Therefore the proceedings were interrupted for half an hour, but even so Möller still held on to his decision explaining that he had known this court for years and that he was convinced that the court would find a fair sentence<sup>133</sup>. Due to the extraordinary situation, the judge asked Bartsch to say something in his defence, arguing that Bartsch was intelligent enough to be able to do so. Bartsch replied that he would not defend himself exactly because he was considered intelligent. Therefore, it seems odd that Möller and Bossi stated that Bartsch might have been inhibited to speak at the end of the trial.
- 55 One could say that the lawyer defended Bartsch badly in the first proceedings but it might be worth considering Heinz Möller's circumstances – especially in contrast to Rolf Bossi who came to the case in 1968. According to Paul Moor, an American journalist who attended the trial for «Time» and corresponded with Bartsch from 1967 until 1976, Bartsch's adoptive father had asked Möller to take on the case because he had successfully helped him before in a small traffic offence<sup>134</sup>. While on Mondays, Wednesdays and Fridays, Möller was Bartsch's defence lawyer in an overcrowded courtroom, on Tuesdays and Thursdays he was the defence lawyer in a case that attracted almost no attention in the press and among the population at all. The accused were policemen who were being held responsible for having burnt 900 to 2000 Jews in the synagogue of Bialystok by order of the Wehrmacht and to have shot several hundred Jews in the same city on 27 June 1941<sup>135</sup>. Handling these two proceedings and dealing with death threats to himself and his family must have been difficult for him, to say the least, and could be one reason for the missing summation for Bartsch.
- 56 In an interview for the «Düsseldorfer Nachrichten» in 1971 Bossi stated that he would not hold back his summation even if Bartsch asked him to do so in the second trial<sup>136</sup>. In contrast to the local lawyer Möller, Bossi was a so-called «Star-Anwalt» from Munich with clients like Chet Baker, Gunter Sachs or Vico Torriani<sup>137</sup>. In a letter from Jürgen Bartsch to Paul Moor of 25 June 1968 he stated that during Bossi's first visit he read a contract to Bartsch. According to this contract, Bartsch signed all his personal rights over to a journalist including all royalties for publications until 1975. In return the journalist would pay for the defence lawyer Bossi<sup>138</sup>. The journalist mostly wrote articles for magazines and he was an author of thrillers and of scripts for the popular German television series

«Tatort». Although other reliable sources about this exclusive contract and its consequences are not available, it highlights the dynamics of an expanding media market.

57 A look at the prosecuting attorney of the second trial shows that he, too, might not have been totally unaffected by the popularity of the Bartsch case. He wanted Bartsch to be convicted as an adult and asked for a life sentence although the Federal Court had already stated in 1969 that this was an inappropriate demand.

58 According to Judge Fischer, based on the evidence only one sentence was possible in 1971. Therefore, he criticized both the defence lawyer and the prosecuting attorney: He found the evidence of the main hearing convincing that it was unreasonable to ask for a courageous sentence (as the defence lawyer did) or for a life sentence as the prosecuting attorney suggested. Judge Fischer also addressed «the public»:

Everybody – who calls for the death penalty, which does not exist anymore and will not exist in the future, or for a lifetime prison sentence that would be against the law, because it would disregard the evidence – misjudges the foundation of our criminal law, which is exclusively based on the guilt of the offender, on his degree of responsibility and, in the case of adolescents, also on the degree of development of responsibility and maturity and which is not based on considerations of expediency or even on the desire for revenge of outraged and unreasonable contemporaries<sup>139</sup>.

59 This statement shows that the judge of the second trial was highly sensitised to the outrage of bystanders, the opposing coalitions of the lawyer and the attorney and moreover, of the different opinions of the expert witnesses. All standards of legal proceedings, including the summation, were taken into consideration in this trial. Nevertheless it ended with a pessimistic view in regard to Bartsch's future: «According to the actual research the defendant will hardly have a chance to go back – released from both his urges – to the society as a free human being»<sup>140</sup>.

## Conclusions

60 Writing letters shows one form of appropriation of the phenomenon of «serial killings». The content of the letters reveals that almost regardless of the explanations of the experts, that had been discussed in the courtroom, there existed retaliatory logic and anti-democratic opinions.

61 Writing letters also shows one possible use of and reaction to the mass media in the 20<sup>th</sup> century. Letter writers chose this form to express their opinions about an event they had read about in the newspaper, in a magazine, listened to on the radio or watched on TV. Letter writers do not fit common analytical categories of the public sphere as «counterpublics» or «competing publics». They did not establish an interest group or at least a public arena where they could exchange their emotions and opinions. In most cases a letter can only be connected to one writer. Even if authors claimed to write for an organization almost none of the letters contained formal stationery paper or stamp. Most of the writers only wrote once, which can be interpreted as an emotional reaction rather than an interest in organizing a significant critical voice. Moreover, they mixed their complaints to representatives of the state or the defence lawyers with their private sphere. Although some writers tried to give their letters a more official form, e.g. by using phrases typical of a petition, most of them mixed up official and private letter formats. The outward form of many letters (handwriting, postcards with holiday motives,

drawings etc.) as well as the references to personal experiences and life-stories emphasises this intermingling of private and public. The letters may be classified therefore as semi-public<sup>141</sup>, but it seems to be more adequate to focus on the letters as one possible form of communication in the era of mass media. Citizens communicate their complaints and emotions in letters to public institutions. The media hold a key position in this form of public communication, not as a simple mediator but as a communicative factor of its own that may or may not target the (unconscious) fantasies and interests of the readers. The format and contents of the letters can be considered one form of appropriation of the mass media in the 1960s and 1970s.

- 62 Modern societies are media societies<sup>142</sup>. They are influenced by the ways they choose to inform and communicate. Here the question of power becomes important: Because of the diffuse and unorganized form of the letters it was up to the addressees how to react to them. The addressees obviously did not consider the letter writers to be politically powerful or their equals: In some cases the addressees tried to depict them as pathological («he is considered to be mentally disturbed and moreover had persecution mania»<sup>143</sup>). The more letters were written, the less seriously they were taken in the administrative channel. This can be concluded from the fact that in the beginning the addressees answered some of the letters but over time almost no letter writer received an answer anymore – except for some inquiries of a more official form.
- 63 Nevertheless, the letters had a specific power: Death treats to the judges and defence lawyers had a psychological impact on these persons as can be seen in the course of the proceedings. The psychological power of the letters was reinforced by similar statements of face-to-face-publics which became visible in large groups of people before the buildings of public institutions, e.g. police stations, or in the courtroom.
- 64 A different form of power lies in the often mentioned references to «the public» or «the people», which were used in many sources of the Bartsch case. The phrase «in the name of the people» was more than a phrase or a rhetoric strategy, it stood for the concept of the representative democracy of the Federal Republic of Germany. The letters represent the voice of the people against which the judges tried to justify their sentences. Letter writers offered personal anger and frustration as well as opinions but in doing so they also suggested a degree of alienation between citizens and state institutions. This was a reproach that hurt in times of movements for more democracy<sup>144</sup>. While indeed the 1960s were a period of enormous changes in political attitudes, mentalities, ways of life, and cultural norms as well as economic changes<sup>145</sup> most of the letter writers displayed highly reactionary opinions.

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## NOTES

3. Nordrhein-Westfälisches Hauptstaatsarchiv, Zweigarchiv Schloß Kalkum, Staatsanwaltschaft Wuppertal (Elberfeld), Gerichte Rep. 240 (hereafter cited as: NRW HStA), Nr. 205: 1966-1968 Briefe von Nichtbeteiligten: Herder, Wolf, «Amtsgericht Mettmann», Bochum, 23.6.1966, p. 77. All names of letter writers have been changed.
4. NRW HStA, Nr. 215: Dr. F., «Sehr verehrter Herr Direktor», München, März 1971. The announcement of article 102 of the constitution of the Federal Republic of Germany declared in 1949 that death penalty was abolished.
5. The phenomenon of love letters can often be found in cases of extremely brutal murders. While most women and men stopped writing when the media attention decreased, others continued. Bartsch married one of these writers in 1974.
6. In the end Bartsch 'only' got one time life sentence but the judges declared that in a symbolic meaning he deserved a five life sentence. NRW HStA, Nr. 210: Landgericht Wuppertal, «Urteil», 15.12.1967.
7. The case of Jürgen Bartsch was discussed in many fields and times, see for example: Moser (1968); Meinhof (1968); Moor (1972); Miller (1980); Föster (1984); Sternsdorff (1996); Drost (2001).
8. NRW HStA, Nr. 212: Bundesgerichtshof Karlsruhe, «Revisionsurteil», 21.11.1969, pp. 118-137.
9. NRW HStA, Nr. 230: Landgerichtsdirektor Fischer, «Urteil – Landgericht Düsseldorf», 6.4.1971, pp. 1-138.
10. Rasch (1984, p. 28).
11. Herbert (2002, p. 8).
12. From 1966 to 1968 29 letters came from the surrounding area of Wuppertal and 47 from all over the Federal Republic of Germany. In the second time period from 1969 to 1971 the number of letters from the surrounding area decreased (23) and the letters from the federal territory almost doubled (84 letters) in comparison to the years 1966 to 1968.
13. Studies on letters to the editor have shown that while these letters were often considered a contribution to democracy hardly any reasoning for this assertion can be found. See for example, Loreck (1982, pp.115 and 208). The significance of this kind of source material becomes obvious in other studies: In their article *La dénonciation* Luc Boltanski, Yann Darré and Marie-Ange Schiltz focussed on letters written to the newspaper *Le Monde* in the years 1979 to 1981. Their primary aim was to find a way to surmount the distinction between individual acts and collective acts. Boltanski, Darré, Schiltz (1984). Recently the French historian Jean-Marc Berlière published about fifty letters that were received by the authorities in a case of a child murderer in 1907, Berlière (2003).
14. NRW HStA, Nr. 229: Fischer, «Urteilsspruch: Mündliche Begründung», Düsseldorf, 6.4.1971, pp. 110-139, here 112.
15. See for example Weisbrod (2001); Requate (1999); Fraser (1990) and of course Habermas (1990).
16. The numbers are based on the media reports and letters found in the Düsseldorf Archives and therefore do not claim to be complete. For example, almost no letters to newspapers or to defence lawyers are kept in the Düsseldorf Archives. The incompleteness may also explain why the number of letters with regard to the appeal remained insignificant.
17. Ehlers (1983).
18. Bonfadelli (2001, p. 223).
19. Lamott (2001, p. 33).

20. NRW HStA, Nr. 215: «Betr. Bestialisches Schwein Bartsch», 29.3.1971.
21. NRW HStA, Nr. 205: Einer aus dem Volk, «An die Bild-Reporterin Gallmeister (Bild 13.12.)», 1967, p. 202.
22. NRW HStA, Nr. 215: Frauenbund, «An Amtsgericht Düsseldorf», Düsseldorf, 21.3.1971.
23. NRW HStA, Nr. 215: Falke, Alfred, «Sehr geehrtes Landgericht Düsseldorf!» Wiedenbrück, 19.3.1971.
24. NRW HStA, Nr. 215: Hohl Albert, 20.3.1971.
25. Hradil (2001, pp. 147-180).
26. NRW HStA, Nr. 215: Schneider, Hans, «Geehrter Herr Amtsgerichtsrat H.», Bamberg, 21.3.1971.
27. NRW HStA, Nr. 205: Knobloch, Friedrich, «An Oberstaatsanwalt Klein», Bayern, 1967, p. 198.
28. NRW HStA, Nr. 205: «An das Polizeipräsidium Düsseldorf», Düsseldorf, 13.7.1966, p. 26.
29. NRW HStA, Nr. 205: «An Staatsanwalt Strafgericht», München, 1967, p. 204.
30. NRW HStA, Nr. 215: Schulz, Edith, «An das Bundesgericht in 4 Düsseldorf», Frankfurt, 1971.
31. See Hradil (2001, pp. 451-453); Oevermann (1972); Hager, Haberland, Paris (1973); Neuland (1975). In contrast to Basil Bernstein's pioneer study on England similar studies did not come to the same significant conclusions for Germany. Bernstein found out that the speech of the middle class and of the lower class are controlled by different linguistic codes, a more elaborated one and a restrictive one. Studies show that these codes are less significant for the German society, Bernstein (1971).
32. NRW HStA, Nr. 215: Anonym, «Herrn Landgerichtsrat Kurt Fischer», Duisburg, April 1971. The word may be translated as «bum fucker» or «bugger».
33. NRW HStA, Nr. 215: «Betr. Bestialisches Schwein Bartsch», 29.3.1971. «Dreckschwein» means «filthy pig».
34. NRW HStA, Nr. 215: Dr. F., «Sehr verehrter Herr Direktor», München, März 1971. «Bestie» could be translated as «beast», «Mißgeburt» as «freak, monstrosity».
35. NRW HStA, Nr. 205: Winkler, Helmut, «An die Staatsanwaltschaft», Wuppertal, 7.12.1967, p. 213.
36. This can be seen in the police records, e.g. NRW HStA, Nr. 203: Allgemeine Hinweise.
37. Klingemann (1983, p.251-253). This analysis was made for a documentary on public television (ZDF) in cooperation with «Forschungsgruppe Wahlen e.V.». Although the article was already published in 1983 it covers the period of time, which is important for the Bartsch case, better than other studies.
38. See e.g.: *Neue Revue* of 22 October 1967, 15 October 1967, 29 October 1967, 19 March 1967, 26 March 1967.
39. See e.g. «Sexualmörder als Bildschirmstars. Im Januar präsentiert das Deutsche Fernsehen ein ganz heißes Eisen», in: *Main-Echo* (13.12.1969). «Sexualmord. Dokumentarbericht über ein Thema, das heute viele leidenschaftlich diskutieren», in: *TV – Hören und Sehen* (Hamburg) (3.1.1970). «Mörder werden nicht geboren. Fernsehdokumentation über Sexualmord», in: *Gong* (Nürnberg) (13.1.1970).
40. Klingemann (1983, p. 244).
41. Klingemann (1983, p. 244). According to Klingemann and Klingemann in 1981 0.5 million citizens who graduated from high school («Abitur») or university read the *Bild-Zeitung* while only 0.32 million read the *Süddeutsche Zeitung* and 0.2 million *Die Welt*.
42. Klingemann (1983, pp. 223 and 245).
43. NRW HStA, Nr. 215: Frau Gehlen, «Herrn Amtsgerichtsrat», 19.3.1971.
44. See Weiler (1998) as an example for discourse analysis on crime and media. She also focuses on the importance of magazines for the mediation of law and justice, Weiler (1999). For literature on crime and the media see the important edition by Linder, Orth (1999). See also Susanne Regener's convincing article about the supposedly serial killer Bruno Lüdtke, Regener (2001). Regener uses a perspective of discourse analysis to show the connection between experts'

knowledge and popular myths. On the interplay of media, social control and moral standards in general see Stehr (1998); Cremer-Schäfer, Stehr (1990). On the topic of serial killers in the U.S see Jenkins (1994); Seltzer (1998) and in Great Britain Walkowitz (1992).

45. NRW HStA, Nr. 215: Eine Gesellschaft für Ordnung und Anständigkeit, «An den Landgerichtsrat K. Fischer», Krefeld, 13.3.1971. The letter starts with «I may assure you in advance that I also had a son [...]»

46. For an analysis of different possible strategies see: Windisch (1993).

47. NRW HStA, Nr. 215: Busch, Karl, «Sehr geehrter Herr Landgerichtsdirektor Fischer!», Berlin, 7.4.1971.

48. NRW HStA, Nr. 215: Dr. F., «Sehr verehrter Herr Direktor», München, März 1971.

49. «Der Mörder und die Meute. Nach der Verbrecher-Hatz», in: Rundschau (23.6.1966).

50. «Tochter des Bartsch-Verteidigers bedroht. Münchner Strafverteidiger will Berufungsverfahren für Kindermörder durchsetzen», in: NRZ (26.3.1968).

51. Polizeischutz für die Familie des Bartsch-Verteidigers. Drohbriefe und anonyme Anrufe: Sie sollten sich schämen!, in: *Bild-Zeitung* (6.12.1967).

52. NRW HStA, Nr. 205: Deutsche Väter und Mütter, «An die Staatsanwaltschaft Velbert, Betr.: Schwerverbrecher Jürgen Bartsch, dieser arrogante Mörder», Oberhausen, 21.6.1967, p.179.

53. Mason (2003, pp. 7-8); Leishman, Mason (2003). For other studies on crime and the media see for example Greer (2003), Kidd-Hewitt/ Osborne (1995).

54. So wurde der Mörder überführt, in: *General-Anzeiger* (22.6.1966). Helms, Klaus-Peter, «[First name, last name of the victim] quälen nachts furchtbare Angstträume. Der Wuppertaler Junge ist jetzt wieder daheim», in: NRZ (23.6.1966). Ziegler, Ernst-Andreas, 'Er sieht nicht aus wie ein Mörder', in: *General-Anzeiger* (22.6.1966).

55. NRW HStA, Nr. 202: «Mein lieber», 12.7.1966, p. 124. See also: NRW HStA, Nr. 205: Anonym, «An die Langenberger Kriminalpolizei», Frankfurt, 26.6.1966, p. 84.

56. Jung (1993); Weis (1982); Baumann (1983, p. 40).

57. Baumann (2000, pp. 44-45).

58. NRW HStA, Nr. 205: Niemann, Eckhard, «Herrn Oberstaatsanwalt», Velbert, 5.12.1967. p. 210.

59. NRW HStA, Nr. 215: Rahm, Hinnerk, «Bartsch-Prozeß», 16.3.1971. *Ibid.*, Müller, Richard, «Betr. Bartsch-Prozeß», Homberg, 19.3.1971. *Ibid.*, Weiler, Peter, «An das Landgericht Düsseldorf», 5.4.1971.

60. NRW HStA, Nr. 205: Falter, Werner, «Telegramm», Bad Oeynhausen, 21.6.1966, p. 112.

61. Z., Berta, Antwort an J.G. Schmidt (Leserbrief), in: *Mannheimer Morgen* (24.1.1970).

62. NRW HStA, Nr. 205: Macke, Gisela, «'So etwas hat es bei Adolf Hitler nicht gegeben.'», p. 180.

63. NRW HStA, Nr. 215: Weiler, Peter, «An das Landgericht Düsseldorf», 5.4.1971.

64. NRW HStA, Nr. 215: Anonym, «Meine Herren! Vor mir liegt die Bild-Zeitung», 17.3.1971.

65. NRW HStA, Nr. 215: Eine Gesellschaft für Ordnung und Anständigkeit, «An den Landgerichtsrat K. Fischer», Krefeld, 13.3.1971.

66. NRW HStA, Nr. 205: Hammel, Heinrich, «Herrn Staatsanwalt, Betr.: BESTIE von Langenberg», München, 22.6.1966, p. 67.

67. NRW HStA, Nr. 205: «An Staatsanwalt Strafgericht. Bedenken Sie, wenn es Ihrem Kind passiert», München 1967, p. 204.

68. NRW HStA, Nr. 215: Anonym, «Heiliger Bimbam!!», Kassel, 1971.

69. NRW HStA, Nr. 205: Knobloch, Friedrich, «An Oberstaatsanwalt Klein: Ich habe ihr Plädoyer in der Bildzeitung gelesen», Bayern, 1967, p. 198.

70. Another chapter of my doctoral thesis shows the usage of this rhetoric strategy in a different context: In the early 1990s the city of Hannover and the state of Lower Saxony purchased a sculpture from the Austrian artist Alfred Hrdlička called «Haarmann-Fries». The artist had begun working on the topic of Haarmann in the 1960s and he described the sexual murderer Friedrich Haarmann as an archetype of a German citizen of the Weimar Republic. The purchase

of the sculpture and Hrdlička's argument received high media attention in the city of Hannover. Published and unpublished letters of German citizens also referred to the Nazi past but now – twenty years after the Bartsch case – they also included aspects of the public discourse of the Germans' guilt. Brückweh (2005, 2006).

71. NRW HStA, Nr. 215: Hacke, Leopold, «An den Dritten Strafsenat des Bundesgerichtshofes», Berlin, 22.11.1969.
72. Heckel, Ina/ Wolfgang Malanowski, «Er spielte wieder mal den Toten'. Spiegel-Gespräch mit Ilse Hess über Spandau-Häftling Rudolf Hess», in: *Der Spiegel* (20.11.1967), pp. 52-60.
73. Dorn, Hans (Weiler im Allgäu/ Bayern), «Gnade und Ungnade (Leserbriefe zum Ilse-Hess-Gespräch)», in: *Der Spiegel* (11.12.1967), pp. 10-16.
74. Hoffmann, Karl (Bayreuth), «Gnade und Ungnade» (Leserbriefe), in: *Der Spiegel* (11.12.1967), p. 2.
75. *Der Stern* (1968).
76. NRW HStA, Nr. 205: Acker, Marion, «Man soll ihn Fesseln, Geiseln und Quälen», 23.6.1966, pp. 118-119.
77. NRW HStA, Nr. 205: «Da Deutschland nicht für die Todesstrafe ist...», 22.6.1966, p. 113.
78. NRW HStA, Nr. 205: Deutsche Väter und Mütter, «An die Staatsanwaltschaft Velbert, Betr.: Schwerverbrecher Jürgen Bartsch, dieser arrogante Mörder», Oberhausen, 21.6.1967, p. 179.
79. NRW HStA, Nr. 215: Hacke, Leopold, «An den Dritten Strafsenat des Bundesgerichtshofes», Berlin, 22.11.1969.
80. NRW HStA, Nr. 205: Knobloch, Friedrich, «An Oberstaatsanwalt Klein: Ich habe ihr Plädoyer in der Bildzeitung gelesen», Bayern, 1967, p. 198.
81. NRW HStA, Nr. 215: Eder, Eckhard, «An die Düsseldorfer Jugendkammer!» Wanne-Eickel, 17.3.1971, NRW HStA, Nr. 215: Dr. F., «Sehr verehrter Herr Direktor», München, März 1971. NRW HStA, Nr. 215: Für viele, «An das Landgericht Düsseldorf, Betrifft: Kindermassenmörder Bartsch», Frankfurt/M., 25.2.1970.
82. NRW HStA, Nr. 205: Anonym, «'Wissen diese Mannsbilder nicht...», 1967, pp. 187-188. NRW HStA, Nr. 215: Schulz, Edith, «An das Bundesgericht in 4 Düsseldorf», Frankfurt, 1971.
83. NRW HStA, Nr. 215: Müller, Richard, «Betr. Bartsch-Prozeß», Homberg, 19.3.1971.
84. NRW HStA, Nr. 215: Frauenbund Düsseldorf, «An Amtsgericht Düsseldorf», Düsseldorf, 21.3.1971,
85. Laplanche, Pontalis (1972, pp. 399-408).
86. See for example Ostermeyer (1970); Mechler (1971); Naegeli (1969).
87. NRW HStA, Nr. 215: eine 4 Hitler, «Meine Herren sind die alle krank die Bartsch verteidigen», 1971.
88. NRW HStA, Nr. 215: Gerhard Mueller (Ein Stimme aus dem Volke), «Telegramm: Jugendkammer des Landgerichtes Düsseldorf», Esslingen am Neckar, 1971.
89. NRW HStA, Nr. 215: Dankert, Erwin, «An die Jugendstrafkammer des Landgerichts», Menden, 1971.
90. NRW HStA, Nr. 215: Kaiser, Sieglinde, «Stellungnahme zu Berichten in der Presse (*Die Welt*)», Bückeberg, 24.3.1971.
91. NRW HStA, Nr. 215: Huf, Rosemarie, «An die Jugendstrafkammer», Oberhausen, 4.9.1970,
92. NRW HStA, Nr. 205: Hammel, Heinrich, «Herrn Staatsanwalt, Betr.: BESTIE von Langenberg», München, 22.6.1966, p. 67.
93. NRW HStA, Nr. 205: Retter, Emil, «Eilt! An 1. das Präsidium des Deutschen Bundestages in Bonn im Durchschlag/ 2. das Bundes-Justizministerium in Bonn/ 3. die Staatsanwaltschaft des Wuppertaler Schwurgerichts/ 4. Die Redaktion der Zeitung Neue-Westfälische in Bielefeld», Senne, 2.12.1967, p. 197.
94. NRW HStA, Nr. 215: Frau Dinges, «An die Staatsanwaltschaft Düsseldorf», 18.3.1971.

95. NRW HStA, Nr. 231: Verfahren nach dem Urteil, Fichte, Johannes, «Lieber Herr Bundespräsident», Darmstadt, Pfingsten 1971, pp. 158-159.
96. NRW HStA, Nr. 215: H.P., «Herr Präsidenten des Landgerichtes Düsseldorf, Betr. 2. Prozess Bartsch, Anbei zwei Zeitungsausschnitte», Fürth, 25.3.1971.
97. Ziegler, Ernst-Andreas, 'Er sieht nicht aus wie ein Mörder', in: *General-Anzeiger* (22.6.1966). The article also shows a photo of Bartsch dressed as a magician.
98. Lamott (1998, pp. 30-33).
99. NRW HStA, Nr. 205: «An das Polizeipräsidium Düsseldorf», Düsseldorf, 13.7.1966, p. 26.
100. NRW HStA, Nr. 215: Falke, Alfred, «Sehr geehrtes Landgericht Düsseldorf», Wiedenbrück, 19.3.1971. NRW HStA, Nr. 205: Tisch, Emil, «An die Mordkommission Essen», Freiburg, 27.6.1966, p. 60.
101. NRW HStA, Nr. 205: Bibel, Hinnerk, Nürnberg, 16.12.1967, p. 249.
102. NRW HStA, Nr. 205: Diesel, Hermann, Bad Vibel, 23.6.1966, pp. 108-109.
103. *Ibid.* and NRW HStA, Nr. 215: Delle, Minna, «An das Landgericht Düsseldorf, Jugendstrafkammer», Issum, 25.3.1971.
104. Bild-Sonderredaktion, «Der Mörder vom Rummelplatz gesteht: Ich tötete vier Kinder. Hat 20jähriger Metzgergeselle noch mehr Jungen umgebracht?», in: *Bild* (22.6.1966). See also: «Vier Jahre suchte die Kripo den Mörder», in: *NRZ* (22.6.1966).
105. «Ein Magier muß schweigen können», in: *Bild-Zeitung* (23.6.1966).
106. NRW HStA, Nr. 205: «Entwicklung», 1966, p. 73.
107. NRW HStA, Nr. 205: Eckel, Wanda, «Freie Meinungsäusserung», Neustadt, 1967, p. 209.
108. Borchert, U./H. Koch und I. Gallmeister, ...“So lebten die Bartsch-Eltern”: Hundejagd für die todkranke Mutter», in: *Bild-Zeitung* (11.12.1967).
109. NRW HStA, Nr. 215: Buche, Johannes, «Herrn Dr. Heinz Möller, (Einschreiben)», Unterkochen, 4.1.1968,
110. In this regard letter writers not only relied on the *Bild-Zeitung* but also on other media, e.g. *Die Welt*: NRW HStA, Nr. 215: Kaiser, Sieglinde, «Stellungnahme zu Berichten in der Presse», Bückeburg, 24.3.1971.
111. Doerr, Hans H., «Mutter Bartsch: Mein Sohn muß doch krank sein. Eine verzweifelte Frau im Zeugenstand», in: *Westdeutsche Rundschau* (14.12.1967).
112. «Bitte, bitte, tun Sie etwas für Jürgen! Leidenschaftlicher Appell der Bartsch-Mutter an die Richter», in: *Bild-Zeitung* (14.12.1967).
113. NRW HStA, Nr. 215: Wolke, Anton, «Jugendstrafkammer des Landgerichtes 4 Düsseldorf», Essen, 3.4.1971.
114. NRW HStA, Nr. 215: Gottschalk, Annegret, «Sehr geehrter Herr Landgerichtsdirektor», Aschaffenburg, 15.4.1971.
115. NRW HStA Kalkum, Nr. 205: Müller, Heinrich, «In der Strafsache gegen Jürgen Bartsch fühle ich mich verpflichtet Ihnen folgendes mitzuteilen», Kassel, 7.2.1967, p. 174.
116. See e.g. Stern (1908); Moll (1909); Kerchner (1998); Schönfelder (1968); Gardiner-Sirtl (1983); Baurmann (1983); Bange (1992); Julius, Böhme (1997).
117. Mauz, Gerhard, «Wohin mit ihm? Spiegel-Reporter Gerhard Mauz im Prozeß gegen Jürgen Bartsch», in: *Der Spiegel* (11.12.1967), pp. 9-51.
118. «Affären. Puppe im Strauch. Den einen erscheint er als 'Satan im geistlichen Gewand', den anderen 'weich wie Butter': der Erzieher des Kindermörders Jürgen Bartsch», in: *Der Spiegel* (1971), pp. 57-58.
119. NRW HStA, Nr. 205: Niemand, Eckhard, «Herrn Oberstaatsanwalt Dr. Klein», Velbert, 5.12.1967, p. 210.
120. NRW HStA, Nr. 205: 1966-1968, Pumpe, A., «P.P. betr. Prozess Bartsch», Hamburg, 30.11.1967, p. 185.

121. «Nur seinem Gott verantwortlich (Leserbriefe zum Bartsch-Prozeß)», in: *Bild-Zeitung* (11.12.1967). Other letters to the editor referring to this topic were printed in *Bild* in the edition of 6.12.1967.
122. K., Erich, «Nur seinem Gott verantwortlich (Leserbriefe zum Bartsch-Prozeß)», in: *Bild-Zeitung* (11.12.1967).
123. S., Friedrich (Heidelberg), «Ganz normal (Leserbriefe)», in: *Der Spiegel* (12.4.1971), pp. 16-19.
124. NRW HStA, Nr. 215: «An das Landgericht Düsseldorf», Hildesheim, 21.3.1971.
125. ‚Attitudes‘ are defined as unconscious and psychological fundamental dispositions which point to specific aspects (e.g. family or politics). The term ‘opinion’ means mostly consciously based ideas which are more likely to be changed and are mostly focused on day-to-day matters. See Hradil (2001, p. 422, fn. 81).
126. Baurmann (1983, pp. 47-52).
127. In the case of Jürgen Bartsch, for example, it became clear that he sexually assaulted neighbors’ children and colleagues before and between killing the four boys unknown to him. Bartsch’s daily life is the focus of another chapter of my thesis (Brückweh, 2006).
128. NRW HStA, Nr. 211: Bossi, Rolf/ Möller, Heinz, «Revisionsschrift und Revisionsbegründung», München/ Wuppertal, 6.5.1968. NRW HStA, Nr. 212: BGH, «Revisionsurteil», Karlsruhe, 21.11.1969, pp. 118-137.
129. NRW HStA, Nr. 209: Protokollband, «Anwesenheitsliste», Wuppertal, 1967.
130. NRW HStA, Nr. 209: «Öffentliche Sitzung der Jugendkammer des Landgerichts», Wuppertal, 27. und 29. 11., 1.,4.,6.,8.,11.,13.,14. und 15.12.1967, here pp. 98-99 and p. 102.
131. See e.g. NRW HStA, Nr. 205: Walter, Maria, «An die Staatsanwaltschaft des Landgerichtes Wuppertal», Bad Harzburg, 28.11.1967, p. 184.
132. NRW HStA, Nr. 209: «Öffentliche Sitzung der Jugendkammer des Landgerichts», Wuppertal, 1967, pp. 233-234.
133. *Ibid.*, p. 240.
134. Moor published the correspondence in two books. Moor (1991, first published in 1972, p. 14). Moor (1972).
135. Moor (1972, pp. 16-20).
136. Bayer, Ursula, «Bartsch gibt sich keine Chance. Er will Abschluß. Interview mit Anwalt Bossi zum Prozeß-Beginn», in: *Düsseldorfer Nachrichten* (16.3.1971).
137. Anwälte: Was herausschlagen, in: *Der Spiegel*, 23 (1971), pp. 70-71.
138. Moor (1991, p.134): letter from Jürgen Bartsch of 25 April 1968.
139. NRW HStA, Nr. 229: Fischer, «Urteilsspruch 6.4.1971: Mündliche Begründung», Düsseldorf, 6.4.1971, pp. 110-139, here pp. 138-139.
140. *Ibid.*, p. 139.
141. In calling the letter writers semi-public I follow: Wodack, Nowak, Pelikan, Gruber, de Cillia, Mitten (1990).
142. Weisbrod (2001, p. 270).
143. NRW HStA, Nr. 205: Kater, Rainer, «An den Regierungspräsidenten in Düsseldorf», Berlin/ Düsseldorf, August 1966, pp. 1-5.
144. See e.g. Kraushaar (1998, pp. 316-317).
145. See e.g. Herbert (2002); Schildt *et al.* (2000); Schlemmer, Woller (2001); Schlemmer, Woller (2002).



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## RÉSUMÉS

Les tueurs en série fascinent le monde. Cette fascination s'exprime de multiples façons et l'article se consacre à l'une d'elles. Après son arrestation en 1966, Jürgen Bartsch (1946-1976) avoua le meurtre de quatre garçons. Les médias locaux et nationaux en parlèrent en long et en large. La première condamnation de Bartsch en 1967 fut revue par la Cour fédérale en 1969. La condamnation finale fut prononcée deux ans plus tard. Durant ces années, 250 citoyens allemands envoyèrent des lettres aux institutions concernées. Ils n'y exprimaient pas seulement leurs opinions et leur indignation: ils y présentaient également leurs conceptions de la violence et de la démocratie. Ces lettres apparaissent en outre comme des moyens de communication à part entière dans une société de médias. Elles mettent en relief une autre perspective des années 1960 qui ont pourtant été le théâtre de changements significatifs dans la société ouest-allemande: des logiques de représailles et des conceptions antidémocratiques se sont fait entendre alors même que les audiences avaient fourni l'occasion de discussions et d'explications lors desquelles les scientifiques avaient exposé leur nouvelle approche des délits sexuels des années 1960-1970.

Serial killers fascinate people. The fascination becomes visible in different forms, one of those is the focus of this article. After his arrest in 1966 Jürgen Bartsch (1946-1976) confessed the murder of four boys. Local and national media reported extensively about the case. Bartsch's first sentence, passed in 1967, was revised by the Federal Court in 1969. Two years later the final sentence was found. During these years about 250 German citizens sent letters to the responsible institutions. They did not only express opinions and anger but also their proper concepts of violence and ideas about democracy. Moreover, the letters show ways of communication in a media society. The 1960s were the time of significant changes in West German society; the letters highlight currents of persisting stereotypes about the criminals as the 'others': Almost regardless of the discussions and explanations in the courtroom, which represent the changing scientific attitudes towards sexual offenders in the 1960s and 1970s, there persisted retaliatory logic and anti-democratic positions within public opinion.

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